

**ORDINANCE NO. 13
SERIES 2005**

AN ORDINANCE CHANGING THE ZONING DISTRICT CLASSIFICATION OF LOT 19, RAINBOW MEADOWS ESTATES, FILING NO. 2, ACCORDING TO THE OFFICIAL PLAT THEREOF, RECORDED MARCH 24, 2004, BEARING RECEPTION NO. 540071, CITY OF GUNNISON, COUNTY OF GUNNISON, STATE OF COLORADO, FROM R-1 (SINGLE FAMILY RESIDENTIAL DISTRICT) TO R-2 (DUPLEX RESIDENTIAL DISTRICT), AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF GUNNISON, COLORADO.

WHEREAS, Tami Dawidowski, as owner of said real property, has given authorization to Craig and Jennifer Duncan as prospective buyers of the property to file an application with the City of Gunnison, seeking a change of zoning of said real property; and

WHEREAS, the Planning and Zoning Commission of the City of Gunnison, Colorado, held a public hearing on said application pursuant to notice published in accordance with the City Code of the City of Gunnison, Colorado on September 14, 2005; and

WHEREAS, the Planning and Zoning Commission of the City of Gunnison, Colorado, recommended to the City Council the approval of the requested change of zoning by recommendation adopted September 14, 2005, based on the criteria set forth in the City's Land Development Code for zoning amendments; and

WHEREAS, the City Council of the City of Gunnison, Colorado, held a public hearing on the requested change of zoning on October 25, 2005.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF GUNNISON, COLORADO, ORDAINS:

Section 1. Based upon the application seeking rezoning of the property hereinafter described, the evidence presented to the City Council during the public hearing on the application seeking rezoning of the property hereinafter described, and further, based upon the recommendation of the Planning and Zoning Commission of the City of Gunnison, Colorado, the City Council hereby finds as follows:

a. That the zoning request complies with the four review standards as stated in the City's Land Development Code.

b. That the requested change of zoning to R-2 (Duplex Residential District) complies with the 1994 City of Gunnison Master Plan classification of the property as low/medium density residential.

c. That the allowed uses in the R-2 Zone are found to be consistent with the neighborhood.

d. Any potential development permitted by the proposed zoning is compatible with the surrounding zone districts, land uses, and neighborhood character as the property is immediately adjacent to the existing R-2 zone district.

e. That the development of the surrounding land has placed R-1 (Single Family Residential Zone District) immediately adjacent to R-3 (Multiple Family Residential Zone District), and that the requested rezoning of the property to R-2 (Duplex Residential District) will create a needed buffer between the R-1 (Single Family Residential Zone District) to the west, and the existing R-3 (Multiple Family Residential Zone District) to the east.

Section 2. Based on the foregoing findings of the City Council of the City of Gunnison, Colorado, the City Council hereby determines that the rezoning of the property hereinafter described does not conflict with the best interest of the City of Gunnison, Colorado, and its citizens.

Section 3. The zoning classification of the real property described as Lot 19, Rainbow Meadows Estates Filing No. 2, according to the official plat thereof recorded March 24, 2004, bearing Reception No. 540071, City of Gunnison, County of Gunnison, State of Colorado, is hereby changed from R-1 (Single Family Residential District) to R-2 (Duplex Residential District).

Section 4. The official zoning map of the City of Gunnison, Colorado, shall be amended to reflect the change in the zoning district classification of the property.

INTRODUCED, READ, PASSED, AND ORDERED PUBLISHED this 25th day of October, 2005, on first reading, and introduced, read, and adopted on second and final reading this 8th day of November, 2005.

Mayor

SEAL:

ATTEST:

City Clerk